

COMMISSION MEETING MINUTES

FEBRUARY 5, 2015

A MEETING OF THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, TENNESSEE was held in the Commission Chambers of the Municipal and Safety Building, 601 East Main Street, Johnson City, Tennessee on Thursday, February 5, 2015.

PRESENT: Mayor Ralph Van Brocklin, Vice-Mayor Clayton Stout, Commissioners Jeff Banyas, Jenny Brock and David Tomita, Pete Peterson, City Manager, and Janet Jennings, City Recorder.

Mayor Ralph Van Brocklin called the meeting to order at 6:01 p.m.

At this time, Robert McKinney, Deacon, Grace Temple Eternal Life Center, gave the invocation, which was followed by the pledge of allegiance.

Upon motion by Commissioner David Tomita, seconded by Vice-Mayor Clayton Stout, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the minutes of the regularly scheduled City Commission Meeting held on Thursday, January 15, 2015, be and the same are hereby approved.

At this time, Mayor Ralph Van Brocklin presented a proclamation in support of Black History Month. Herb Greenlee, City of Johnson City, and Robert McKinney, Deacon, Grace Temple Eternal Life Center, were present to accept.

- Whereas** we are a strong and vibrant nation, thanks to the creativity, fortitude, and resilience of people of every race and every background; and
- Whereas** we owe the study of black history and the celebration of Black History Month to the efforts of Dr. Carter Godwin Woodson, born in 1875 in New Canton, Virginia; and
- Whereas** the son of former slaves, Woodson was educated at Berea College in Kentucky and earned his bachelor's and master's degrees at the University of Chicago, his Ph.D. at Harvard, and studied at the Sorbonne in Paris, France; and
- Whereas** in 1915, Woodson founded The Association for the Study of Negro Life and History; and
- Whereas** in 1926, he initiated the annual observance of Negro History Week in February due to the birthdays of President Abraham Lincoln and Frederick Douglass; and
- Whereas** the annual event expanded in 1976 into a monthlong observance known as Black History Month.

Now, Therefore, I, Ralph J. Van Brocklin, mayor of the City of Johnson City, in conjunction with the national observance of African American History Month, do hereby proclaim February 2015

BLACK HISTORY MONTH

in Johnson City, Tennessee. We honor those who have peacefully fought for positive change throughout history and look forward to the progress that unity can bring, not only to our city, but to communities throughout the nation.

In Witness Whereof, I have hereunto set my hand and caused the Official Seal of the City of Johnson City, Tennessee, to be affixed this 5th day of February, 2015.

/s/ Ralph J. Van Brocklin

Ralph J. Van Brocklin, Mayor

At this time, Mayor Ralph Van Brocklin presented a proclamation recognizing Congenital Heart Defect Awareness Week. Agnes Rhodes, Regional Coordinator, Mended Little Hearts, was present to accept.

- Whereas** congenital heart defects are the most common types of birth defects, affecting about 40,000 newborns each year in the United States; and
- Whereas** congenital heart defects are among Tennessee's most common birth defects and are often fatal due to their severity, a lack of effective medical intervention options, and the limited availability of infant donor hearts; and
- Whereas** in the United States, hospital costs for people with a heart defect were about \$1.8 billion in one year, and because families and the government share the burden of these costs, all taxpayers are affected; and
- Whereas** the origins and symptoms of congenital heart defects are becoming more readily identifiable, and the range of surgical options are expanding continuously thanks to diligent research efforts and field experiences; and
- Whereas** while the cause of most congenital heart defects is unknown, mothers can take steps to help prevent heart defects in their children and everyone can learn to recognize warning signs among newborns so that proper medical treatment may be provided as early as possible.

Now, Therefore Be It Resolved, I, Ralph J. Van Brocklin, mayor of the City of Johnson City, Tennessee, in conjunction with the national observance, do hereby proclaim the week of February 7-14

Congenital Heart Defect Awareness Week

in Johnson City, Tennessee, to raise awareness and to show our appreciation for the efforts of doctors and scientists everywhere who work diligently to solve life's medical mysteries and to improve the quality of life for us all.

In Witness Whereof, I have hereunto set my hand and caused the Official Seal of the City of Johnson City, Tennessee, to be affixed this 5th day of February, 2015.

/s/ Ralph J. Van Brocklin

Ralph J. Van Brocklin, Mayor

At this time, Phil Pindzola, Public Works Director, presented a Public Works Department Update.

At this time, Mayor Ralph Van Brocklin opened the public input session. No one spoke.

Upon motion by Commissioner Jenny Brock, seconded by Commissioner David Tomita, the following resolution was offered for adoption. The motion **carried** by four ayes. Commissioner Jeff Banyas was absent from the Chambers. There were no nay votes.

COMMISSION MEETING MINUTES

FEBRUARY 5, 2015

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a Beer License Application for Alvaro Leon Jacobo, 7 Hermanos Mexican Cuisine, Inc., 3101 West Market Street, Johnson City, Tennessee, be and the same is hereby approved. Alvaro Leon Jacobo, applicant, was present.

Upon motion by Commissioner Jenny Brock, seconded by Commissioner David Tomita, the following resolution was offered for adoption. The motion **carried** by four ayes. Commissioner Jeff Banyas was absent from the Chambers. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the appointment of Dan Miller to the Public Building Authority Board, be and the same is hereby approved. City staff will re-advertise for applications. The City Commission will fill the remaining appointment to the Public Building Authority Board in March.

Upon motion by Commissioner Jenny Brock, seconded by Commissioner David Tomita, the following resolution was offered for adoption. The motion **carried** by four ayes. Commissioner Jeff Banyas was absent from the Chambers. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the pulling from the Consent Agenda of the renaming of Neighborhood Field at Kiwanis Park to Arrowood-Mashburn Little League Field, be and the same is hereby approved.

Upon motion by Commissioner Jenny Brock, seconded by Vice-Mayor Clayton Stout, the following resolution was offered for adoption. The motion **carried** by four ayes. Commissioner Jeff Banyas was absent from the Chambers. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the renaming of Neighborhood Field at Kiwanis Park to Arrowood-Mashburn Little League Field, be and the same is hereby approved.

Upon motion by Commissioner Jenny Brock, seconded by Commissioner David Tomita, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the remainder of the Consent Agenda for February 5, 2015, be and the same is hereby approved.

CONSENT AGENDA:

A. GENERAL:

i. Parks & Recreation Department

Consider renaming Neighborhood Field at Kiwanis Park to Arrowood-Mashburn Little League Field

ii. Police Department

Consider Memorandum of Understanding between ETSU, Applied Social Research Laboratory and the City of Johnson City for the Family Justice Center to conduct four-(4) Survivor Focus Groups during Year One of the grant program

iii. Human Resources

Consider the recommendation to discontinue the Fire and Police 15-mile radius residency requirement

iv. Public Works Department

Consider closing costs in the amount of \$5,724.73 for Tract 6 (1903 Indian Ridge) on the Indian Ridge Project

v. Public Works Department

Consider relocation expenses in the amount of \$4,980.00 for Tract 6 (1903 Indian Ridge Road) on the Indian Ridge Project

vi. Purchasing Department

Consider declaring certain Public Works Department ~ Landscaping Division vehicles as surplus: (1) Roller & (1) Dump Truck

B. INVOICES:

- i. The TML Pool \$34,928.75
Risk Management
Claim Invoice
Funding Source: Insurance Fund Liability Reserves
- ii. Washington County, Tennessee \$88,036.00
Finance Department ~ Collection Bill
Funding Source: General Fund \$83,698 / JCDA – TIF \$4,338
- iii. Mattern & Craig \$3,190.00
Public Works Department ~ VA Access Road
Funding Source: Federal HPP & 20% Local Funds
- iv. Mattern & Craig \$545.25
Public Works Department
Traffic Signal Upgrade & Interconnection of Six-(6) Intersections
Funding Source: STP Funding
- v. Gresham, Smith & Partners \$712.19
Public Works Department
Indian Ridge Road Improvements
Funding Source: STP Funds
- vi. Outdoor Art – Sculpture LLC. \$12,000.00
Public Works Department
Mark Moulton & Duke Oursler
Funding Source: Founders Park Project
- vii. Lamar Dunn & Associates \$8,888.50
Public Works Department ~ **FINAL PAYMENT**
Stormwater Culvert Design Ashe Street to Founders Park
Funding Source: Stormwater Fund

- viii. Lamar Dunn & Associates \$3,295.20
 Water & Sewer Services
 Emergency Generator at State of Franklin Water Booster Station
 Funding Source: Water/Sewer Bond Funded

C. BIDS:

- i. ITB #5879
 Taff and Frye \$77,300.00
 Public Works Department
 Abatement & Demolition of Former U-Haul Building
 Funding Source: Budgeted Expense

TABULATION OF BIDS
 CITY OF JOHNSON CITY, TENNESSEE
 DECEMBER 18, 2014/1:30 PM
 BID # 5879 ASBESTOS ABATEMENT/DEMOLITION OF FORMER U-HAUL BUILDING

BIDDER	BID AMOUNT	SUBCONTRACTOR
VENDOR: E. Luke Greene Co.		
License Number: 24334	Lump Sum Abatement: 44,980.00	HVAC: GEOTHERMAL
Bid Bond:	Abatement & Demolition: 97,400.00	Plumbing: MASONRY
Addendums Acknowledged:		Electrical:
VENDOR: Marion Environmental Inc		
License Number: 28886	Lump Sum Abatement: Included	HVAC: GEOTHERMAL
Bid Bond:	Abatement & Demolition: 167,244.00	Plumbing: MASONRY
Addendums Acknowledged:		Electrical:
VENDOR: DH Griffin		
License Number: 11845	Lump Sum Abatement: 47,777.00	HVAC: GEOTHERMAL
Bid Bond:	Abatement & Demolition: 87,777.00	Plumbing: MASONRY
Addendums Acknowledged:		Electrical:
VENDOR: NEO Corporation		
License Number: 28071	Lump Sum Abatement: 69,388.00	HVAC: GEOTHERMAL
Bid Bond:	Abatement & Demolition: 122,560.00	Plumbing: MASONRY
Addendums Acknowledged:		Electrical:
VENDOR: Taff & Frye		
License Number: 46185	Lump Sum Abatement: 38,550.00	HVAC: GEOTHERMAL
Bid Bond:	Abatement & Demolition: 77,300.00	Plumbing: MASONRY
Addendums Acknowledged:		Electrical:
RECOMMEND ACCEPTANCE OF LOW BID CIRCLED ABOVE. By: [Signature] Taff & Frye For: Taff & Frye Taff & Frye, Inc. 1000 S. Main Street Johnson City, TN 37601		

ii. ITB #5880

FLW Southeast \$51,573.50

Water & Sewer Services

Electromagnetic Flow Meters

Funding Source: Rate Funded Capital

TABULATION OF BIDS
CITY OF JOHNSON CITY, TENNESSEE
DECEMBER 16, 2014
ITB #5880 ELECTROMAGNETIC FLOW METERS-WATER/SEWER

Description	QTY	United Utilities	Carotek	Tennessee Instrumentation	FLW Southeast
Water Meters		Unit Cost	Unit Cost	Unit Cost	Unit Cost
1 4"	0	2,195.00	x	3,392.40	1,773.00
2 6"	1	2,460.00	2,429.18	3,878.30	2,098.50
3 8"	2	2,840.00	2,646.54	4,295.10	2,274.50
4 10"	0	3,200.00	x	4,760.40	2,533.00
5 12"	3	4,510.00	3,801.15	5,895.30	3,163.50
6 16"	0	5,640.00	x	7,873.50	4,262.50
Waste Water Meters					
7 3"	2	2,760.00	2,061.34	3,319.50	1,748.50
8 4"	2	2,845.00	2,145.24	3,392.40	1,773.00
9 6"	4	3,100.00	2,429.15	3,878.30	2,098.50
10 8"	5	3,380.00	2,646.55	4,295.10	2,274.50
11 10"	0	3,820.00	x	4,760.40	2,533.00
12 12"	1	5,100.00	3,801.15	5,895.30	3,163.50
13 16"	1	6,695.00	6,751.27	7,873.50	4,262.50
Training		1,600.00	2,954.00	n/c	1,200.00
Grand Total (excludes zero quantity items)		75,575.00	63,994.67	94,335.70	51,573.50
No Response: Krohne					
RECOMMEND ACCEPTANCE OF LOW BID AS CIRCLED ABOVE. ABOVE QUANTITIES ARE FOR AN IMMEDIATE ORDER.					
UNIT PRICES ARE FIRM FOR ONE YEAR, IF ADDITIONAL ITEMS NEEDED (INCLUDING ZERO QTY ITEMS). TOTAL IS					
AS ESTIMATED FOR ONE YEAR.					

iii. ITB #5888

M&M Contract Mowing \$46,400.00

Public Works Department ~ Street Division

Interstate 26 Mowing & Litter Collection

Funding Source: Budgeted Expense (offset by TDOT Revenues)

TABULATION OF BIDS
CITY OF JOHNSON CITY, TENNESSEE
JANUARY 21, 2015
BID #5888 INTERSTATE 26 MOWING LITTER COLLECTION

	Mowing (per cycle)	Litter Collection (per cycle)
M&M Contract Mowing	4,800.00	1,000.00
Down to Earth	11,000.00	1,000.00
K.D. Phillips	4,904.15	1,260.00

No Response: Natco

RECOMMEND ACCEPTANCE OF THE LOW BID, CIRCLED ABOVE. TOTAL ANNUAL COST
APPROXIMATELY \$ 46,400. THREE YEAR CONTRACT, RENEWABLE ANNUALLY.

D. PURCHASES:

i. John Deere Landscaping \$50,000.00

Public Works Department ~ Landscaping Division

Shrubs & Perennials

Funding Source: Budgeted Expense

E. PROPOSALS:

i. RFP #5883

RYE Engineering Inc. PLC \$133,200.00

Water & Sewer Services

Leak Detection Service Contract

Funding Source: Budgeted Expense

At this time a public hearing was held regarding Ordinance No. 4573-15. No one spoke for or against this item.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jenny Brock, **Ordinance No. 4573-15**, "TO AMEND THE ZONING ORDINANCE REGARDING NON-RESIDENTIAL SUBSTANCE ABUSE TREATMENT FACILITIES," was **passed on second reading**. The motion **carried** by five ayes. There were no nay votes.

At this time, Tommy Burleson, Burleson Construction Company, presented an update on the Animal Shelter construction.

At this time, Janet Jennings, Finance Director, presented the Report of the Director of the Office of State and Local Finance Concerning the Proposed Issuance of General Obligation Refunding Bonds, Series 2015 as well as a letter from the Director.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a bond resolution for the refunding of Water/Sewer Debt, be and the same is hereby approved. Joe Ayres, Cumberland Securities, addressed the City Commission.

Upon motion by Mayor Ralph Van Brocklin, seconded by Commissioner Jeff Banyas, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the amendment to the Johnson City Development Authority Founders Park Policy, to substitute Section IX as follows: Great Lawn - \$360 full day/\$310 half Day; Entire Park - \$500 full day; Amphitheatre - \$250 deposit, refundable if renting entity holds the indicated event, non-refundable if the event is not held or if the event is not cancelled at least 30 days prior to the date for which the Amphitheatre was reserved; Refunds will be provided if the event is cancelled due to inclement weather; Use of Founders Park (Great Lawn and/or Amphitheatre) is subject to reservation for an event as determined by the description in Section I and when not reserved, they are open to Community use without charge, be and the same is hereby approved. Charles Stahl, IV, Assistant City Manager, addressed the City Commission.

Upon motion by Commissioner Jeff Banyas, seconded by Commissioner David Tomita, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the amendment to the Johnson City Development Authority Founders Park Policy, to add the ability for each party to terminate with a 30-day written notice under Section V, be and the same is hereby approved.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the Johnson City Development Authority Founders Park Policy, as amended, be and the same is hereby approved.

Upon motion by Commissioner David Tomita, seconded by Vice-Mayor Clayton Stout, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the addition to the agenda of Ordinance No. 4574-15 on first reading, be and the same is hereby approved.

Upon motion by Vice-Mayor Clayton Stout, seconded by Commissioner Jenny Brock, **Ordinance No. 4574-15**, "AN ORDINANCE TO ABANDON A PORTION OF WILSON AVENUE UPON THE TERMS AND CONDITIONS CONTAINED HEREIN AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH," was **passed on first reading**. The motion **carried** by five ayes. There were no nay votes.

At the time, City Manager Pete Peterson made a presentation of the 2014 National Citizen Survey Results.

At this time, City Manager Pete Peterson presented the City Manager's Report.

There being no further business or discussion, Mayor Ralph Van Brocklin adjourned the meeting at 8:43 p.m.

RALPH VAN BROCKLIN
MAYOR

JANET JENNINGS
CITY RECORDER

ITEMS DEFERRED:

1. None.

ACTION ITEMS:

1. City staff will re-advertise for applications. The City Commission will fill the remaining appointment to the Public Building Authority Board in March.